

## **SCHEDULE "A" – CAB AND ACCESSIBLE DRIVER**

### **LICENCE APPLICATIONS, DUTIES, PROHIBITIONS**

#### **1.0 LICENCE APPLICATIONS AND RENEWALS**

1.1 Every Applicant for a Cab Driver Licence or an Accessible Cab Driver Licence or a renewal thereof shall:

- (a) attend at the office of the Licence Manager in person and complete a written application form for such Licence and have their photograph taken;
- (b) file with the Licence Manager documentation showing proof of Canadian Citizenship, Landed Immigrant Status, or a Work Permit to work as a driver issued by the Government of Canada;
- (c) submit to the Licence Manager a valid Class G driver's licence issued by the Province of Ontario which is in good standing according to the records of the Ministry of Transportation;
- (d) submit to the Licence Manager proof that they are at least 18 years of age;
- (e) have completed an English assessment exam administered by the Licence Manager with a minimum grade of 75% or a minimum grade of 85% for a subsequent attempt made at least two months after a previous attempt;
- (f) have completed a vehicle for hire training exam administered by the Licence Manager with passing grade of 75% or a minimum grade of 85% for a subsequent attempt made at least two months after a previous attempt;
- (g) submit to the Licence Manager a CIR from the London Police Services dated no later than 60 days prior to the application for a Licence;
- (h) submit to the Licence Manager a Ministry of Transportation driver's abstract dated no later than 60 days prior to the application for a Licence;
- (i) for an application for a Licence in the first instance, submit to the Licence Manager a certificate prepared by a qualified medical practitioner which states that the Applicant is physically and mentally capable of performing the duties of a Cab Driver or an Accessible Cab Driver; and
- (j) comply with all of the provisions of this By-law.

1.2 An Applicant applying for a renewal of a Cab Driver or an Accessible Cab Driver Licence:

- (a) shall be exempted from the requirement for an English assessment exam in subsection 1.1(e) of this Schedule;
- (b) may be exempted from the requirement for a vehicle for hire training exam in subsection 1.1(f) of this Schedule if he or she files with the Licence Manager every four years or sooner as required by the Licence Manager, proof of completion of a training course or a written test approved by the Licence Manager with a minimum grade of 75%; and
- (c) may be exempted from the requirement to provide a medical certificate in subsection 1.1(i) of this Schedule unless the Licence Manager believes that it would be in the public interest to require such certificate.

1.3 In addition to the requirements of section 1.1 and 1.2 of this Schedule, every Applicant for an Accessible Cab Driver Licence or a renewal thereof shall;

- (a) hold a valid Cab Driver Licence;

- (b) satisfactorily complete a sensitivity course approved by the Licence Manager pertaining to the transportation of Persons with Disabilities and, subsequently complete a written examination administered by the Licence Manager with:
  - (i) a minimum grade of 75% for a first attempt; or
  - (ii) a minimum grade of 85% for a subsequent attempt made at least one month after a previous attempt; and
- (c) submit his or her Cab Driver Licence to the Licence Manager for endorsement as an Accessible Cab Driver Licence.

1.4 An Applicant applying for a renewal of an Accessible Cab Driver Licence may be exempted from the requirement of a sensitivity course or the written examination in subsection 1.3(b) of this Schedule if he or she files with the Licence Manager every four years or sooner as required by the Licence Manager, proof of completion of a sensitivity course approved by the Licence Manager pertaining to Persons with Disabilities or completes a written examination approved by the Licence Manager with a minimum grade of 75%.

## **2.0 DRIVER'S DUTIES**

2.1 Every Licensed Cab Driver or Accessible Cab Driver shall:

- (a) carry his or her driver's licence issued under the *Highway Traffic Act*, and his or her Licence while Operating a Cab or Accessible Cab;
- (b) affix his or her Licence in a position in the Cab or Accessible Cab so that the side of the Licence containing the photograph is plainly visible to and readable by Passengers in the front seat and back seat of the vehicle;
- (c) display the tariff card so that it is plainly visible to and readable by Passengers in the front seat and back seat of the vehicle;
- (d) keep a Trip Sheet, on the form attached as Schedule "J" to this By-law of all Trips made by the Cab or Accessible Cab during each shift. The Trip Sheet shall be updated at the conclusion of each Trip;
- (e) retain all Trip Sheets for at least 12 months and while Operating the Cab or Accessible Cab have the current and previous month's Trip Sheets in his or her possession;
- (f) keep in the Cab or Accessible Cab a current Maintenance Log for the Cab or Accessible Cab;
- (g) have in the Cab or Accessible Cab a current street guide or City map and a global positioning system device capable of displaying requested routes;
- (h) each shift before driving:
  - (i) examine the Cab or Accessible Cab for mechanical or other defects and similarly examine it at the end of each shift, and if the Driver is not the Owner, report any mechanical defects forthwith to the Owner and enter such defects into the Maintenance Log; and
  - (ii) enter into the Trip Sheet the date and odometer reading for the Cab or Accessible Cab;
- (i) report forthwith to the Licence Manager if he or she is convicted of any offence under the *Criminal Code of Canada*, the *Narcotic Control Act*, the *Food and Drugs Act*, the *Controlled Drugs and Substances Act* or the *Highway Traffic Act*;
- (j) report immediately to the Licence Manager when he or she has had his or her driver's licence issued under the *Highway Traffic Act* cancelled, suspended or revoked or when his or her driver's licence has expired, and surrender his or her Licence to the Licence Manager;

- (k) provide forthwith if requested by the Licence Manager a certificate prepared by a qualified medical practitioner which states that the Applicant is physically and mentally capable of performing the duties of a Cab or Accessible Cab Driver;
- (l) be civil, courteous, refrain from using profanity, and offer to assist a Passenger when it is evident that the Passenger is a Person with a Disability, is elderly, or is in need of assistance;
- (m) when Operating a Cab or Accessible Cab be neat and clean in personal appearance, wearing clothes that are neat and free from soil, grease and dirt with no unrepaired rips or tears;
- (n) when Operating a Cab or Accessible Cab punctually keep all appointments, and not make any appointments if a previous engagement would prevent him or her from fulfilling it;
- (o) when a Passenger enters the Cab or Accessible Cab and gives the Driver the desired destination, take the most expeditious possible route to the destination desired, unless the Passenger designates otherwise;
- (p) when Operating a Cab or Accessible Cab take care of all property delivered or entrusted to him or her and accepted by him or her;
- (q) immediately upon termination of a Trip, search his or her Cab or Accessible Cab for any property left therein and deliver the property to its owner or if its owner cannot be found, to the London Police Services;
- (r) unless his or her Cab or Accessible Cab has been previously engaged, provide a Conveyance Service to any Person who may require his or her Cab or Accessible Cab, refusing only when:
  - (i) the Driver is concerned for his or her personal safety;
  - (ii) the person has not paid a previous Fare or cancellation charge;
  - (iii) the person is, in the opinion of the Driver, unable or unwilling to pay the Fare and has been unable or unwilling, when given the opportunity to do so, to satisfy the Driver that he or she has funds to pay the Fare; or
  - (iv) the person is a Grossly Unclean Individual;
- (s) ensure that the Cab's or Accessible Cab's seat belts are plainly visible to and may be conveniently used by the Passenger;
- (t) turn off any radio, tape player or any other sound producing mechanical device in the vehicle upon picking up a Passenger, unless the Passenger requests that the radio or any other sound producing mechanical device remain on;
- (u) engage the Cab Meter at the commencement of the Trip and keep it engaged throughout the Trip;
- (v) at the conclusion of the Trip, place the Cab Meter in the time-off position and after payment, in the vacant status;
- (w) provide to a Passenger if requested, a receipt, showing: the Driver's name; the Owner's Plate number for the vehicle; the date and time of the Trip; the points of origin and destination of the Trip;
- (x) make available the number of the Owner Plate and the name of the Fleet that the Cab or Accessible Cab belongs to in an accessible format to Passengers who are Persons with Disabilities;
- (y) maintain the interior and exterior of the Cab or Accessible Cab while he or she is Operating it, in a clean and tidy condition, including maintain the interior:

- (i) free from all dust, dirt, grease, oil, adhesive resin and any other item that can be transferred on to the person, clothing or possessions of a Passenger;
- (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the Cab or Accessible Cab;
- (iii) free of noxious substances;
- (iv) free of excess wear including tears and cigarette burns in the upholstery;
- (v) in a dry condition;
- (vi) in good repair;
- (vii) with working seat belts;
- (viii) with side windows that open and close;
- (ix) with every seat securely mounted maintaining its position and adjustment;
- (x) with a working dome light that will activate automatically when the vehicle doors open;

and maintain the exterior:

- (xi) free from all dust, dirt, grease, oil, adhesive resin and any other item that can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
  - (xii) in good repair;
  - (xiii) free from exterior body damage;
  - (xiv) with no missing or removed fender, grill or molding;
  - (xv) with securely closing doors and trunk lid;
  - (xvi) with all handles and catches in good repair;
  - (xvii) with the paint or finish in good repair; and
  - (xviii) with four matching hubcaps or wheels; and
- (z) enter a Cab Stand by positioning his or her Cab at the end of any line formed by other Cabs and remain in the driver's seat, ready to provide a Conveyance Service, when first or second in the line.

2.2 In addition to all of the requirements set out in section 2.1, every Accessible Cab Driver shall:

- (a) ensure that all wheelchairs being transported within the Accessible Cab are securely fastened so as to prevent them from moving when the Accessible Cab is in motion;
- (b) ensure that the Accessible Cab:
  - (i) is equipped with an extra tire, wheel and jack ready for use for that Accessible Cab;
  - (ii) is equipped with wheelchair tie downs;
  - (iii) is in compliance with the Canadian Standards Association's Standard D409-M84 and all other applicable federal and provincial legislation including without limitation to O. Reg 1990 629 under the *Highway Traffic Act*;
  - (iii) is equipped with a first aid kit;
  - (iv) is equipped with a dry chemical fire extinguisher having an effective total rating of at least 4-Bc and weighing 2.27 kilograms; and
  - (v) is equipped with operable air-conditioning and heating;
- (c) record the number of Trips of Persons with Disabilities and persons without disabilities on his or her Trip Sheets; and
- (d) give priority for Conveyance Services for Persons with Disabilities over persons without disabilities.

### 3.0 DRIVER'S PROHIBITIONS

3.1 No Licensed Cab Driver or Accessible Cab shall:

- (a) Operate a Cab or Accessible Cab without a valid Owner Plate affixed thereto;

- (b) Operate a Cab whose owner is not a Licensed Cab Owner;
- (c) Operate an Accessible Cab whose owner is not a Licensed Accessible Cab Owner;
- (d) Operate a Cab or Accessible Cab without side numbers and a properly functioning roof light;
- (e) Operate a Cab or Accessible Cab without the number of the Owner Plate and the name of the Fleet it belongs to displayed on the rear bumper of the Cab or Accessible Cab in accordance with subsection 2.1(j) of Schedule "D" to this By-law;
- (f) Operate a Cab or Accessible Cab with luggage or other material therein obstructing the Driver's view;
- (g) Operate a Cab or Accessible Cab when the Cab Meter:
  - (i) has not been adjusted in accordance with the tariffs in Schedule "I" of this By-law;
  - (ii) seal is not intact or has been broken;
  - (iii) does not illuminate;
  - (iv) is not clearly visible to Passengers; or
  - (v) is not in good working condition.
- (h) Operate a Cab or Accessible Cab without it being equipped with an operating camera system in accordance with subsection 2.1(f) of Schedule "D" to this By-law;
- (i) Operate a Cab or Accessible Cab without the decal installed stating that photographic images of the Passengers are being recorded in accordance with subsection 2.1(h) of Schedule "D" to this By-law;
- (j) fail to provide exact change to the Passenger;
- (k) charge any Passenger for time lost through defects or inefficiency of the Cab or Accessible Cab or the incompetence of the Driver;
- (l) charge any Passenger for the time elapsed due to early arrival of the Cab or Accessible Cab in response to a call for the Cab or Accessible Cab to arrive at a fixed time;
- (m) engage in any misleading or deceiving statement or representation to a person about the location or distance of any destination named by that person;
- (n) have taken, consumed or have in his or her possession any alcohol, drugs or intoxicants while Operating a Cab or Accessible Cab;
- (o) solicit or permit the solicitation of any person to become a Passenger;
- (p) carry in any Cab or Accessible Cab a greater number of Passengers than is set out in the manufacturer's rating of seating capacity for such vehicle, and for which a fully operational seat belt is available for each Passenger's use;
- (q) take on additional Passengers after the vehicle has departed with one (1) or more Passengers from any one starting point, except under the following circumstances:
  - (i) when done at the request or permission of a Passenger who is sixteen years of age or older and who is already in the vehicle;
  - (ii) in an emergency situation; or
  - (iii) on a Trip exclusively taking students to or from school;

- (r) overcrowd a Cab Stand or displace any Cab or Accessible Cab already at the Cab Stand;
- (s) interfere in any way with the normal use of a Cab Stand or public place or with surrounding traffic;
- (t) use a Limousine Stand or other place set aside for Limousines;
- (u) Operate a Cab or Accessible Cab without it meeting the standards for the issuance of a Safety Standard Certificate;
- (v) recommend hotels, restaurants or other like facilities without being asked to do so by the Passenger;
- (w) smoke inside a Cab or Accessible Cab;
- (x) cause or permit any immoral, indecent, or illegal act in a Cab or Accessible Cab under the Driver's care;
- (y) use or accept cellular telephone calls when engaged by a Passenger; and
- (z) Operate a Cab or Accessible Cab when the Driver has been on duty for more than 12 hours within a 24 hour period without first taking 8 consecutive hours off duty.